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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **OAKLAND DIVISION**

13 FREE KICK MASTER, LLC,

14 Plaintiff,

15 v.

16 APPLE INC., et al.,

17 Defendants.

Case No. 4:15-cv-03403-PJH

**STIPULATION TO CONTINUE  
NOVEMBER 5, 2015 CASE  
MANAGEMENT CONFERENCE**

**STIPULATION TO CONTINUE THE  
NOVEMBER 5, 2015 CASE MANAGEMENT CONFERENCE**

Currently under submission are two fully briefed motions to dismiss the Second Amended Complaint of Plaintiff Free Kick Master LLC ("Plaintiff"). ECF Nos. 62, 66. On September 30, 2015, the Court held a hearing on these motions. ECF No. 80. Because the Court's ruling on these motions could result in the dismissal of this action or leave for Plaintiff to file a Third Amended Complaint, and because only Defendant Apple Inc. has filed a pleading in this action, the parties believe it would preserve the resources of the parties and the Court to vacate the November 5, 2015 Case Management Conference and set a new date after all the pleadings have closed. This stipulation and request is supported by the declaration of David R. Eberhart satisfying the requirements of Civil Local Rule 6-2(a).

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: October 13, 2015

United States District Court  
Northern District of California  
Judge Phyllis J. Hamilton  
Phyllis J. Hamilton



Respectfully submitted,  
Dated: October 12, 2015

By: /s/ David R. Eberhart  
David R. Eberhart

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MANAGEMENT CONFERENCE  
4:15-CV-03403-PJH

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*Attorney for Plaintiff Free Kick Master, LLC*

**L.R. 5-1(i)(3) ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), I attest that concurrence in the filing of the document has been obtained from each of other counsel listed above.

Dated: October 12, 2015

O'MELVENY & MYERS LLP

s/ David R. Eberhart

David R. Eberhart  
Attorney for Defendant Apple Inc.